



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

N.K.

Plaintiff,

- against -

TimeLine Web Limited,
Media Zone Limited,

Defendants.

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

This action having been commenced by Plaintiff N.K. on January 25, 2008, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on Defendants Media Zone Limited and Timeline Web Limited, on February 25 and 26, respectively, by mail via Federal Express as permitted under the Hague Convention, service on Michael Nielsen (Time Line Web) and Michael Lauritzen (Media Zone Limited), and a proof of service having been received by the Clerk of Court on March 4, 2008, and the defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: that Judgment by default on the claims alleged against Defendants by N.K. be entered against Defendants, and in particular that:

1. this Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1332;
2. venue is proper pursuant to 28 U.S.C. § 1391(a)(2);
3. this Court has personal jurisdiction over all parties to this action;

4. all of N.K.'s allegations against Defendants as set forth in the Complaint are deemed true;

5. Defendants displayed photographs of Plaintiff on their adult websites for advertising and marketing purposes without Plaintiff's consent;

6. by and through the unauthorized use of photographs of Plaintiff for advertising and marketing purposes, Defendants each have violated Plaintiff's rights under New York Civil Rights Law § 50;

7. the context in which these photographs are displayed gives the public the mistaken impression that Plaintiff is involved in the adult/pornography industry, that she has sex for money, that she has consented to having pictures of herself nude and engaged in sexual intercourse posted on websites viewed around the world, and that she has consented to having her image used as marketing and advertising material for adult/pornographic websites;

8. these suggestions are false, libelous and highly defamatory;

9. because these suggestions impute unchastity to the Plaintiff, they are also libelous per se;

10. by displaying photographs of Plaintiff in this manner, Defendants have engaged in extreme and outrageous conduct that goes beyond all possible bounds of decency;

11. Defendants intended to cause, or, at the very least, disregarded a substantial possibility of causing, severe emotional distress to Plaintiff, and Plaintiff has in fact suffered severe emotional distress; and it is further

ORDERED, ADJUDGED AND DECREED that Defendants, as well as their parents, subsidiaries, affiliates, predecessors, successors, divisions, operating units, principals, officers, directors, shareholders, employees, attorneys, members, agents, heirs, representatives, spin-offs, and future assigns, and those persons in active concert or participation with any of them, are PERMANENTLY ENJOINED and RESTRAINED from:

- a. continuing to display photographs or any likeness of Plaintiff on any website or in any other medium;
- b. displaying photographs or any likeness of Plaintiff on any website or in any other medium in the future;
- c. maintaining, storing and/or transmitting to others any photographs or likeness of Plaintiff that Defendants currently possess, or which comes into their possession in the future; and it is further

ORDERED, ADJUDGED AND DECREED that Defendants are jointly and severally liable to Plaintiff for damages in the amount of \$5,000,000.00, together with the post-judgment interest from the date of entry of this Judgment; and it is further

ORDERED, ADJUDGED AND DECREED that Defendants are jointly and severally liable to Plaintiff for costs, disbursements, and attorneys fees, in an amount of \$533.60, together with post-judgment interest from the date of entry of this Judgment; and it is further

ORDERED, ADJUDGED AND DECREED that:

d. in the event that Defendants fail to comply with any provisions of this Judgment, Plaintiff shall be entitled to recover its reasonable attorneys' fees and costs associated with the enforcement of those provisions;

e. Defendants shall provide notice to their parent, subsidiaries, affiliates, predecessors, successors, divisions, operating units, principals, officers, directors, shareholders, employees, attorneys, members, agents, heirs, representatives, spin-offs, and future assigns, and those persons in active concert or participation with any of them, of the terms of this Judgment;

f. this Court shall retain jurisdiction for the limited purpose of enforcement of this Judgment, as may be necessary; and that

g. the Clerk of this Court shall enter judgment forthwith.

SO ORDERED, this ¹⁰ 2nd day of June, 2008.


U.S.D.J. 6/2/08 

THIS DOCUMENT WAS ENTERED
ON THE CLERK'S RECORD ON _____